

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CHARLES W. BUCK,)	NO. CV-10-3045-JPH
)	
Plaintiff,)	ORDER ADOPTING REPORT
vs.)	AND RECOMMENDATION
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social)	
Security,)	
)	
Defendant.)	

BEFORE THE COURT is the Report and Recommendation entered October 3, 2011 (**ECF No. 23**), recommending that the Defendant's motion for summary judgment (**ECF No. 20**) be **granted**.

On October 17, 2011, Plaintiff timely objected and requested oral argument (ECF No. 24). Defendant responded to the objections (ECF No. 25) and Plaintiff replied (ECF No. 26). The objections raise the same arguments as those Plaintiff included in previous briefs.

After review,

IT IS HEREBY ORDERED

1. The Report and Recommendation (**ECF No. 23**) to grant Defendant's motion for summary judgment is **ADOPTED in its entirety**.

1 2. Defendant's motion for summary judgment is **GRANTED**.

2 3. Plaintiff's request for oral argument raised for the first
3 time in his objections (ECF No. 24 at 21) is **DENIED** as untimely.

4 **IT IS SO ORDERED.** The District Court Executive is directed to
5 enter this Order and an order of Judgment, forward copies to the
6 parties and Magistrate Judge Hutton, and close the file.

7 DATED this 28th day of November, 2011.

8
9 ***s/Lonny R. Suko***

10 _____
 LONNY K. SUKO
 United States District Court Judge